

### **REMARKS**

Claims 1-21 are present in this application. Claims 1, 8, and 17 are independent.

### **Objection to Specification**

The specification was objected to because of numerous minor informalities. With the above amendments, the specification has been amended to correct grammatical and idiomatic errors. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

### **Claim Rejection**

Claims 1-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Application Publication 2005/0182649 (Parulski). The independent claims have been amended. Applicant requests reconsideration of the rejection based on the claims as amended.

### **Claims 14, 15**

It does not appear that at least 14 and 15 were properly rejected. The limitations of claims 14 and 15 differ from limitations covered in claims 1-7. Claim 14, for example, includes a limitation regarding the location of the service selecting region and the conditioning item selecting region in the menu image. Claim 15 includes a limitation of the location of the common item specifying region relative to the common item

specifying region. Applicant submits that Parulski fails to teach or suggest at least the claim limitations recited in claims 14 and 15.

**Claims 1, 8, and 17**

Claim 8 is directed to embodiments for an order accepting apparatus (e.g., Figs. 1 and 3: an order accepting terminal apparatus 16A) comprising a display panel (e.g., display panel 37) for indicating a menu image (e.g., order placing menu image 51) for inputting ordering information to specify an order placed for a service provided by an associate (e.g., Associate A), an input unit for inputting an input signal according to the menu image (e.g., mouse 46, keyboard 44, pointer 52), and a controller for determining said ordering information in response to the input signal (e.g., CPU 36).

The menu image (see Fig. 4) includes plural regions for setting plural items included in the ordering information, the plural regions including a service selecting region (e.g., service selecting region 56) for selecting one of plural services different from one another, a common item specifying region (e.g., common item specifying region 58) for specifying a common item common between the services, and a conditioning item setting region (e.g., conditioning item setting region 57) for setting a conditioning item settable according to the selected service.

The Office Action alleges that a menu provided by a service provider (paragraph 0007) of Parulski teaches the claimed "menu image." The Office Action alleges that a menu of photo products that are available for customization and purchase, provided by a fulfillment center 40 (para. 0049; block 106 in Fig. 2) teaches the claimed "service

selecting region". The Office Action alleges that a step for uploading a group of digital images, step 134 in Fig. 2, teaches the claimed "common item specifying region." The Office Action alleges that the menu of customizable features for the type of product selected provided by a network server 42 teaches the claimed "conditioning item setting region" (para. 0050; block 110 in Fig. 2).

Applicant submits that the "menu identifying a plurality of different photo services" indicated in paragraph 0007 of Parulski fails to show a plurality of regions including a service selecting region, common item specifying region and a conditioning item setting region, as required by the claims. For example, Parulski fails to show that the menu identifying a plurality of different photo services includes the menu of customizable features, block 110. To the contrary, it appears that the menu identifying a plurality of different photo services pertains to the menu of photo products mentioned in paragraph 0049 with respect to block 106. The types of products indicated in the paragraph include standard service prints, framed hardcopy prints, or customized photo albums. The menu of customizable features mentioned in paragraph 0050 is described as a separate menu for customizable features for the type of product selected by the user.

Thus, Applicant submits that Parulski fails to teach or suggest at least the claimed menu image including a plural regions, the plural items including a service selecting region, a common item specifying region and a conditioning item setting region, as recited in the present claims.

An aspect of the present invention is that the conditioning item setting region sets conditioning items according to a selected service. Examples of conditioning item setting regions are shown in Figures 5 to 12. As can be seen in the present drawings, the conditioning item setting region includes a menu of selectable items (e.g., "select a template" in Fig. 5), as well as provides visual controls associated with setting a conditioning item for customizing a specified common item (e.g., dragging a common item into a template for a multiple image in Figs. 5-9). According to Parulski, a menu of customizable features is displayed on a display monitor or a touchscreen. At block 112, a customer selects preferred features for the product type. However, other than selecting features, Parulski does not appear to provide visual controls associated with creation of a customized product to be ordered.

Thus, claims 1, 8, and 17 have been amended to include the feature that the conditioning item setting region includes a "menu" of selectable items as well as "visual controls" for customizing a product to be ordered according to the selected service. Applicant submits that Parulski fails to teach at least this claimed feature.

Applicant request that the rejection be reconsidered and withdrawn.

### **Conclusion**

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert W. Downs (Reg. No. 48,222) at the telephone number of (703) 205-8000, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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